

DECISION



PL-CG
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-194334.2

DATE: May 9, 1979

MATTER OF: The Chevron

DIGEST:

DLG 01525
101078
[Protest of Bid Being Declared Nonresponsive By Marine Corps]

Protest filed more than 10 days
after basis for protest was known
(notification of nonresponsive
bid) is untimely under § 20.2(b)
of GAO's Bid Protest Procedures.

ACC00098
The Chevron protests the award of a contract
by the United States Marine Corps to the Smith
and Wesson Leather Company under solicitation
No. IFM B00027-79-0010 for police uniform leather
items.

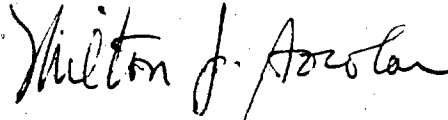
The Marine Corps notified Chevron, by letter
dated March 1, 1979, that its bid was nonresponsive
because of a defect in the sample belt submitted
with Chevron's bid. Chevron contends that the subject
belt was the identical belt that had been previously
examined and found acceptable by the Marine Corps.
Chevron filed its protest with our Office on April 13,
1979.

Section 20.2(b)(2) of our Bid Protest Procedures,
4 C.F.R. part 20 (1978), provides that "protests shall
be filed not later than 10 [working] days after the
basis for protest is known or should have been known,
whichever is earlier."

Since Chevron did not file its protest with
our Office until April 13, more than 10 days after
the basis of the protest was known (letter dated
March 1), the protest is untimely and not for con-
sideration by our Office.

005208

Therefore, the protest is dismissed.

A handwritten signature in cursive script, reading "Milton J. Socolar". The signature is written in dark ink and is positioned above the printed name and title.

Milton J. Socolar
General Counsel